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PHILOSOPHY, RELIGION  
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# CHRISTIANITY and CRISIS

*A Christian Journal of Opinion*

## The Candidacy of Mr. Nixon

The withdrawal of Governor Rockefeller from the Presidential race has created an extraordinary situation, for it leaves as the Republican candidate a man who until recently appealed only to the narrower and more conservative type of Republican. When we realize that the Republican Party is the minority party, having had to depend upon the popularity of a man who transcended the party, we see how surprising this development is.

Today Vice President Nixon does very well in the public opinion polls against the most popular Democrats; this comes in considerable measure from the popularity of President Eisenhower's foreign policy. Though Nixon has supported this policy, it is in sharp contrast to all he has represented in the past. His success in settling the steel strike should also add greatly to his popularity outside Republican ranks.

The fact that there is to be no contest for the Republican nomination is the country's loss. For the inside group of professional politicians to control the choice of the convention seven months in advance is certainly a failure of democracy. A strong bid by Nelson Rockefeller would have done much to stimulate thought about real issues and it would have forced Nixon to declare himself early enough to enable the people to take his measure. The chief impression that is left by all that has happened is that Nixon is as skillful a political operator as one can expect to find.

Many of us move in circles where there is a prevalent dogma to the effect that Nixon cannot im-

prove, that he cannot outlive his past. This dogma is obviously false, but anyone who tries to be fair to Nixon and who has the past in full view labors under serious difficulties. Walter Lippmann expressed the feeling that many have about Nixon when he said that Nixon has "clawed his way up" from obscurity. It is doubtful if Mr. Lippmann would have thought of using such a phrase in connection with any of the other men of either party who are mentioned as candidates.

Critics of Nixon have felt that his methods in three different campaigns have shown serious defects of character—they have shown him to be unscrupulous in the smearing of opponents and to be narrowly partisan. Nixon said to a British journalist that these campaign methods belonged to the days of his youth and that he regretted them, but these earlier tactics were too astute in relation to his ends to be laid to youthful experience. If this history is emphasized by his opponents in the next campaign, they will be accused of following the low road of personal accusation. And yet Nixon has not made it plain that these defects of character, which would be unbecoming in a President, are not still there.

Quite as serious is the question of whether Nixon does represent any very solid convictions about the great issues. He rode into office on the wave of the anti-communist panic. Though his record was much better than McCarthy's, there is little that one can learn from it in regard to his convictions about the Cold War. He went to the

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Senate as the special representative of a clique of reactionary businessmen in southern California who provided his fund that was attacked in 1952. Since then he has changed so that James Reston says that his conservative supporters will be surprised to find how liberal he is on economic issues. Yet as recently as 1958 he made the "radical ADA left wing" one of his chief targets. Anyone who can get into a frenzy about the ADA has not moved very far as a liberal. One has an uneasy feeling that Nixon represents very little in himself, that he takes on the color of his environment, that too many of his thoughts are partisan weapons.

But there is another side. There is no doubt that Nixon has grown in his understanding of many issues. He seems to understand the fatefulness of the Indian experiment for the future of Asia, and he seems to be fully committed to a more imaginative foreign aid policy. He has said some things about our relations with Russia that go far beyond the purely negative anti-communism of earlier years. Some of his speeches have shown a high quality of statesmanship. He has a great gift for presenting a case effectively to groups that are inclined to be hostile. We have heard the testimony of some of his finest colleagues in the Administration who now, after years of association with him, swear by him and insist that he has outgrown the things that are usually held against him. Also, his technical training for the Presidency could hardly have been better.

If there were not a big chance that Nixon might be elected President, it would be easy to give him as a person the benefit of the doubt. But so much is at stake that doubts still plague us. We hope they will be set at rest, for it would be a calamity if it should be necessary to wage the campaign on the fitness of the candidates rather than on the issues.

J. C. B.

## THE CASE OF DR. UPHAUS

WHILE THE EDITORS of *Christianity and Crisis* have not always agreed with Dr. Willard Uphaus, they are taking no satisfaction from the punishment he is currently receiving at the hands of the state of New Hampshire.

Dr. Uphaus, who calls himself a Christian pacifist, has held conferences at a summer place in New Hampshire for a number of years. Investigating this conference in line with his duties as a prosecutor of subversive activities, the state's At-

torney General asked to see the card file of persons who had attended these meetings. Dr. Uphaus refused to reveal the names on grounds that his Christian conscience did not permit him to bear false witness against anyone else. Courts, including the Supreme Court in a narrow decision, ruled that the Attorney General was doing a legitimate duty and was within his rights to call for the list. Dr. Uphaus was, thus, in contempt of court. In mid-December he was sentenced to jail for contempt, and the cause of justice in New Hampshire went tidily on its way.

Jailing Willard Uphaus is, of course, a travesty of justice. He is being punished on procedural rather than substantial charges. If he were a menace to the security of the sovereign state of New Hampshire, or if his friends were, and if substantive subversion had been proved by the prosecutor, the picture might have been clearer. As it is, he interfered with the procedures of investigation and refused to provide evidence to the prosecutor to be used against him and his associates.

While Dr. Uphaus refused to invoke the protections of the Fifth Amendment, it seems to us that this case comes close to infringing those protections. Let prosecutors prosecute, and let courts order crimes punished when they prove them. But let them not ask the defense to do their prosecuting job for them.

(In a completely different set of circumstances, this same suggestion of the violation of the Fifth Amendment seemed to us involved in the recent Apalachin case. Twenty men were convicted in a New York Federal Court on a charge of "conspiring to obstruct justice" by refusing to reveal the truth about a meeting of alleged gangsters in a handsome hillside estate in Apalachin, N.Y. How far apart, in reality, are "conspiring to obstruct justice" and "refusing to be a witness against oneself"?)

We certainly know the safeguards that are involved in proper procedures of law. But there is a gnawing doubt that justice was really done in the Uphaus case. He was an "incorrigible witness." What of the precedent established in the Arthur Miller case? What of the minority opinion of the Supreme Court?

What cause of justice is served when the letter of the law looks so small that it is no longer legible and the man in jail looks bigger than the court who sent him there? R. T. B.

## FEAR IN DEERFIELD

DEERFIELD, ILLINOIS has joined Levittown and other communities on the long list of names that symbolizes our nation's racial problems in their residential aspect. As public school difficulties move, however slowly, toward resolution, evidence mounts that the next crises are shaping up in real estate.

Southern segregationists understandably are chortling over the anguish in the plush suburb of Chicago. Citizens object to a realtor's plan to sell a dozen houses to Negroes. The Deerfield residents cannot use the threadbare arguments about illiterate Negroes on relief, because these houses will sell at \$30,000 and up. The people just don't want Negro neighbors.

The situation discloses two elements in the American situation. First, it has been interesting to notice the hurt innocence of Deerfield people when they thought they might be accused of any nasty prejudices. Some of them commented that they had no malice toward anyone, but obviously did not want a loss in property value. Here, they plainly thought, was an argument of self-evident validity. All this is an interesting commentary on American life today. While our society records that 63 per cent of its people belong to churches or synagogues, it generally takes for granted that no one should suffer a financial loss for the sake of ethical responsibility.

Second, the people of Deerfield have utterly ignored the considerable data which show that a

community actually need not lose financially in such a situation. When citizens refuse to panic and welcome other races with good will, property values do not collapse. Such a procedure takes some creative efforts in developing community understanding and morale. But an elite locale like Deerfield should not find the efforts too great. After all, the voters have approved (by a margin of more than two-to-one) a half-million dollar bond issue to buy the development site for a public park—a hasty plan that has fooled nobody as to its real motivation. A comparable effort at far less cost might bring about the integration of these Negro families without hurting anybody.

The chances are that the people of Deerfield do not know the techniques by which they might meet their situation with some sense of justice and humanity. To that extent their acts are prompted by ignorance. But in their present state of panic they are not likely to secure the information that could help them. Deerfield illustrates the way in which America's race problem is compounded of fear, sin, and ignorance—each enhancing the others.

With some exultation our country has enjoyed the improved image of America in the East that resulted from the President's recent journey. But a few stories of racial discord, circulating through Asia and Africa as they do, can re-spatter the image in a hurry. History does not consistently reward national righteousness; but racial discrimination is one of the most convincing of all evidences that the wages of sin is death.

ROGER L. SHINN

## Christian Approaches to Responsible Parenthood

RICHARD M. FAGLEY

THE CURRENT CONTROVERSY over the inclusion of birth control programs in our foreign aid plans highlights some of the differences among the major Christian traditions on the question of parenthood. By seeming to ignore the scruples of conscientious Protestants, the Administration has spurred Protestant leaders to develop a fuller consensus that can provide for a more effective political witness to sharpen the issues hereafter. While such a witness is overdue, it will be sounder if Protestant leaders see the approaches to

responsible parenthood in the most objective perspective.

By a combination of circumstances—the under-population of northwestern Europe in the sixteenth century resulting from the Black Death and the Hundred Years War, the increase of resources from the Industrial Revolution, the outlets provided by the American and colonial frontiers—the churches of the Reformation did not begin to face up to the question of family planning until prodded by the world depression a generation ago. Ingredients for a doctrine of responsible parenthood had been provided along the way, but they had not been put to use although Protestant cou-

Dr. Fagley has spent considerable time on this question with a study group of the World Council of Churches. His book, *The Population Explosion and Christian Responsibility*, will be published in February by the Oxford University Press.

ples had often opted for family planning without waiting for clerical guidance.

For example, Calvin regarded Genesis 2:18 ("Then the Lord God said, 'It is not good for the man to be alone.'") as the most important scriptural reference to the man-woman relationship, but he applied it largely to the non-sexual side of marriage. Until the 1920's our Protestant churches were almost as strong in their pro-fertility outlook as the Church of Rome.

In fact, it was the latter that hesitantly, painfully, slowly *first* began to face up to the issue of family limitation. The effects of European population growth, which preceded the current expansion in the underdeveloped world, may have been felt more keenly in some of the predominantly Catholic countries. In any case, in 1853 the Sacred Penitentiary, in response to a question from the Bishop of Amiens, agreed that couples, refraining for legitimate reasons from the marital act except on days when they believed conception could not take place, should not be "disturbed" by confessors "so long as they do nothing to prevent conception."

This was a timid start towards a sanction for family limitation, but it was a start. The earliest Protestant sanction I have found is a statement by the Church of England in 1923, reinforced by the Lambeth Conference of 1930. However much the roles have since reversed, it is well to remember that the initial pioneering was done by Catholic churchmen.

### **The Chief Purpose of Marriage: Procreation**

The common heritage of the three main branches of Christianity elevated procreation as the chief purpose of marriage. One factor was the pro-fertility elements in the Old Testament. A number of other factors obscured and modified the New Testament insights. One of these was the utilitarian Greco-Roman definition of marriage as a contract for "the procreation of legitimate issue." Another was the common idea that the male "seed" was seed in the true sense so that any non-procreative use of sex seemed to some virtually equivalent to murder. Again, there was the philosophical tradition that regarded sexual indulgence as destructive to the rule of reason.

The absurd but persistent pagan charges of Christian sexual orgies—apparently derived from misinterpretation of the *agapae*, the spiritualized "church suppers" of the primitive church—led people like Athenagoras to claim that "procreation is

the measure of our indulgence in appetite." And the opposition to procreation among the Gnostics strengthened Christian affirmations of its essential goodness.

On top of these pro-fertility elements, there was in the Western church the massive influence of Augustine, whose conversion took the form of a conquest of sexual desire. The impress of a bad conscience on his stern opposition to any non-procreative use of marriage would make a fascinating psychological study. He had dissolved for prudential reasons the submarital union of his early manhood and had lost the talented and only son of this union. He was hardly an objective guide to a doctrine of marriage and parenthood. Yet his ideas and prejudices have had a large impact on subsequent Roman Catholic—and indeed Protestant—thought.

When Aquinas attempted to put Christian doctrine into an Aristotelian framework, it was probably inevitable that he should regard procreation as the chief end or formal cause of marriage. It was not a perfect fit, for there was the established acceptance of the "vows-of-chastity" marriage in which companionship rather than procreation was the primary function. But at least the inherited view of the marital act was conducive to the notion that its built-in purpose—its "nature"—was procreation. This is the root idea in Catholic teaching about the "natural law" aspects of marital relations. While Genesis is cited in its defense, the basic concept is derived from Aristotle.

In the succeeding centuries, Roman Catholic thought on the ends of marriage has grown to include education of children as a coordinate primary end. Starting with a narrow view of Christian training, the idea has developed into a broader understanding of nurture. Despite efforts to describe procreation and education as a single primary end, in order to satisfy the requirements of the Aristotelian framework, the combination introduces an element of responsible parenthood, for quality in education obviously implies a limit on quantity of procreation. I have not seen a good Catholic discussion on this point, but it seems an area for future growth.

The primary explicit basis for a Catholic approach to responsible parenthood was provided by Pius XII in 1951 when he said, in regard to the procreative duty of couples using the marital act, that "serious reasons, such as those found in the medical, eugenic, economic and social 'indications' can exempt for a long time, perhaps even for the

whole duration of the marriage, from this positive duty." Since the specific "indications" required for "non-procreation" have not been spelled out by papal authorities, the meaning of this statement remains a bone of contention between Roman Catholic advocates of responsible parenthood and the "fertility cult" so evident in some U.S. Catholic circles. The one group would give a generous interpretation to the "serious reasons"; the other would ignore or severely restrict them.

There was no reference to this papal teaching, for example, in the recent statement by the National Catholic Welfare Conference Administrative Board; in fact, the statement's reliance on hypothetical new food supplies for population growth, rather than moral and theological considerations, might be called selling the Roman birth-right for a mess of potage. The Roman future, however, undoubtedly lies with those who support the papal teaching; for one thing that cannot long be ignored are the convictions of the growing number of Catholic couples who practice the "rhythm" method or who, finding it unreliable, turn to contraception or sterilization.

The Eastern Orthodox Church does not have an official doctrine of parenthood, since it was defined neither by the Scriptures nor by the early ecumenical councils. The pre-Augustinian pro-fertility influences mentioned earlier help to shape the rigorous tradition maintained by the monastic clergy who hold the prominent positions in the church. The patristic writings, which generally opposed any non-procreative use of the sex act, are given great weight in this tradition, but there is enough leeway for a kind of unspoken dialogue between those who uphold this strict position and the laity and married clergy who take a less strict position. Even the most rigorous statements, however, recognize the possible need for some family limitation. Thus the 1937 statement of the hierarchy of the Church of Greece, influenced by fears of ethnic decline, nevertheless admitted that extremely difficult conditions for the family may make it imperative for parents to abstain from child-bearing.

### **The Protestant Approach**

The Protestant approach to responsible parenthood in recent decades has generally followed two routes. One has been recognition of the limitations required to safeguard the quality of family life. The right of the child to love, care and nurture, concern for the health of mother and child, the

need to protect the livelihood and stability of the family—these are recurrent themes. In some of the more recent statements there is a new awareness of the social dimension of the issue derived from the perils of mounting population pressures on inadequate resources. But the center of attention has been the welfare of the family.

The other main route has been the rediscovery of companionship as a primary end of marriage and of the marital act, since the Puritan neglect of the sexual dimension of marital companionship has been overcome. A number of theologians have contributed to a deeper understanding of the "one flesh" union of *henosis* as a gift from God and an independently valid objective of the man-woman relationship.

The work of Sherwin Bailey of the Church of England Moral Welfare Council, which has had an important influence particularly on Anglican thought, should be mentioned; he, in turn, has stressed the influence of Martin Buber's *I and Thou*. But there were many contributing factors that helped to establish the concept as part of the Protestant consensus. As early as 1931, for example, the Federal Council of Churches Committee on Marriage and the Home emphasized the need to provide for marital union "as an expression of mutual affection, without relation to procreation."

A third route for the Protestant approach may be in the making. This derives from the relationship of the couple or family to Christian vocation. Just as an individual vocation may impose celibacy as part of its price, so the vocation of a given couple may impose limitations on progeny, or even a childless marriage. This idea has not evolved very much, although there are increasing references to the service of the family in society as a relevant consideration in the determination of responsible parenthood. This new awareness of the social setting of marriage is reflected, for example, in the Mansfield Report.

Finally, there is in regard to the ends of marriage and family an important growing edge that could provide significant common ground for the three main Christian traditions. This lies in the recognition, in varying degrees, of the primacy of the spiritual basis and function of genuine marriage—the task of perfecting the union given by God. Despite the emphasis in recent Orthodox statements on the duty of procreation, the fundamental end of marriage in the Orthodox view, based on the *mysterion* in Ephesians, is the sanctification of the couple. As Archbishop Michael

said, "The purpose of matrimony is perfection of the married couple . . . in cooperation with Divine omnipotence." There is of course a tendency to see this expressed in procreation, but this need not be the only or essential means of expression—a point for future development.

### The True Man-Woman Relationship

Likewise, in Protestant thought, marital freedom is rooted both in the spiritual nature of man and in the fundamentally spiritual character of genuine marriage. Through God's grace husband and wife are enabled to become "one flesh." This is the basic biblical insight into the true man-woman relationship. The implications of this affirmation underlying the Protestant consensus need to be examined more fully, but it is clear that it exerts a major formative influence. Jacques Ellul expressed his understanding of the matter in this way: "marriage is essentially a new state to which God calls man, not for natural needs but for deeper needs, those of participation in Redemption...."

In the Roman Catholic Church, there is an important reflection of this spiritual dimension of marriage in paragraph 24 of the 1930 encyclical, *Casti Connubii*. This is what Pius XI said:

This mutual inward molding of husband and wife, this determined effort to perfect each other, can in a very real sense, as the Roman Catechism teaches, be said to be the chief reason and purpose of matrimony, provided matrimony be looked at not in the restricted sense as instituted for the proper conception and education of the child, but more widely as the blending of life as a whole and the mutual interchange and sharing thereof.

Pius apparently was asserting that while the begetting and rearing of children is the first purpose of marriage within the order of nature and creation, companionship as a means to spiritual perfection may be regarded as its primary end within the order of grace and redemption. It could hardly have been mere negligence that this pivotal paragraph was omitted in early U.S. editions of the encyclical; it undercuts a good deal of the rationale of the "fertility cult." While there was a considerable reaction under Pius XII to re-establish the primacy of procreation, I feel sure this is not the last word. The ferment of a new insight is still at work.

If there is at least the possibility of developing greater common ground in regard to the ends of marriage and family life, this does not seem to be the case in regard to the means of family limita-

tion. The rigorous tradition among the Orthodox sanctions only marital abstinence as a method to control conception, though I understand there has been some internal debate over the "rhythm" method. On the other hand, lay theologians in Athens put this comment at the end of a summary of an article of mine: "The time for considering family planning has come"; in Greece, moreover, there is no ban on the sale of contraceptives. Thus the rigorous tradition is to the right of Rome while practice is apparently to the left.

The Catholic position over the past century has come to sanction periodic continence (in addition to complete abstinence) when the reasons are "sound"—a term variously interpreted as indicated above. Much is made of the distinction between the "natural" method and "artificial" methods of contraception.

This confuses rather than clarifies the issue, however, for Catholic authorities condemn certain "natural" methods of conception control, such as *coitus interruptus*; on the other hand, periodic continence, if given the scientific reinforcement hoped for by Pius XII, could become as "artificial" in one sense as any contraceptive method. The narrow distinction that can be maintained is that in the case of the "rhythm" method the marital act itself is conducted in a procreative *manner*, even though the intent be contraceptive. By this rather "artificial" distinction it is possible to argue that the "nature" or primary function of the act is preserved.

There is no real hope, incidentally, that the papal courts will sanction any of the prospective "oral contraceptives" as such. One type, which defers ovulation, was specifically condemned by Pius XII just before his death. The other type, which destroys the fertilized ovum, comes under the even stronger ban on feticide or abortion.

### No Moral Hierarchy of Methods

However tortured we may regard the reasoning that defends the "licit" method, we should remember that it offers the main opportunity to millions of faithful Catholic couples to exercise responsible parenthood and remain obedient to papal doctrine. This is why I have urged that more research be devoted to making periodic continence more reliable. The fact that millions of Catholic couples, at least in the West, have turned to contraception in view of the present unreliability of the "rhythm" technique, as indicated by census and other data, is not a worthy ground for refusing help to those

families caught between conscience and population pressures.

On the whole, Protestant thought has refused to erect an *a priori* moral hierarchy of methods of conception control. As Karl Barth has pointed out, every method involves a certain amount of human manipulation and is "unnatural" in this sense; but irresponsible parenthood is not in keeping with man's true nature.

Considerations of health, effectiveness, mutual acceptability and Christian conscience are issues that confront the Christian couple. Abortion is strongly opposed, except to save the life or health of the mother. Permanent sterilization raises strong moral doubts, though the issues need more searching study. Complete abstinence is opposed in the Lambeth Report as destructive to a major purpose of marriage. As for periodic continence, contraception, or safe drugs to inhibit ovulation, the Mansfield Report finds no inherent moral distinction. As several Protestant statements argue, motives rather than methods constitute the primary ethical issue. And family limitation may be as great a moral obligation in some circumstances as parenthood in others.

However much the future may belong to the emerging Protestant consensus on responsible parenthood, recent events have underscored the fact that it cannot be won by the half-hearted approach that still characterizes too many Protestant leaders and agencies. A clear and common witness, firm but positive in character and rooted in sound theological conviction, is what the times call for. Nothing less is worthy of our heritage.

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### Our Twentieth Year

of publication will begin with our next issue. Times have changed considerably since the first issue of *Christianity and Crisis* appeared in the dark days just prior to the beginning of World War II. The immediate issues were different, but the same basic urging that the nation face its responsibilities remains. Nor has our essential task—to engage in the dialectic between Christian insight and contemporary event—changed. We hope to print articles of special interest to our readers in this year. And we will suggest some ways in which you can help us celebrate this important event.

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